



**THE CITY OF NEW YORK  
LAW DEPARTMENT**

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January 26, 2022

**BY ECF**

Honorable John P. Cronan  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1320  
New York, NY 10007

Re: Kaye v. Health and Hospitals Corporation, et al.  
Civil Action No. 18 CV 12137  
Law Manager No. 2010-001556

Dear Judge Cronan:

I am an Assistant Corporation Counsel in the office of Georgia M. Pestana, Corporation Counsel of the City of New York, attorney for defendants the New York City Health and Hospitals Corporation (“H+H”), Elizabeth Ford, Patricia Yang, Abhishek Jain, and Jonathan Wang, in the above-referenced matter. Consistent with Section 3.B. of Your Honor’s Individual Rules and Practices in Civil Cases, I write to respectfully request a brief extension of time, from January 28, 2022 to February 16, 2022, to file defendants’ motion for summary judgment. This is defendants’ first request for an extension of time.

Defendants make this request for the reason that additional time is needed to complete their Local Rule 56.1 statement, particularly in light of the Magistrate Judge Cott’s Order, which granted plaintiff’s application to re-opened her deposition for the limited purpose of “cross-examination to discuss her First Amendment retaliation and whistleblowing claims, and to discuss the long-term economic damage to her professional career.” See ECF Dkt. No. 214. Consistent with the Order, plaintiff’s deposition took place yesterday, January 25, 2022. At the conclusion of plaintiff’s deposition, defendants requested an opportunity to conduct a brief re-direct in order to clarify certain testimony. Counsel for plaintiff refused—even though defendants offered to cover the cost of the additional questioning—and directed defendants to make an application with the Court. Defendants have sought leave of Court for a limited reopening of plaintiff’s deposition, and therefore, also require the additional time should Magistrate Judge Cott grant defendants’ request.

Defendants have consulted with plaintiff, who consents to this extension request. Accordingly, the parties propose the following briefing schedule:

- Defendants' Motion for Summary Judgment due **February 16, 2022**;
- Plaintiff's Opposition due **April 4, 2022**;
- Defendants' Reply due **April 18, 2022**.

Defendants thank the Court in advance for its consideration of this request.

Respectfully submitted,

By: ECF: /s/  
Donna A. Canfield  
Assistant Corporation Counsel

cc: Special Hagan [by ECF]

The request is granted. Defendants shall move by February 16, 2022, Plaintiff shall oppose by April 4, 2022, and Defendants shall reply by April 18, 2022.

SO ORDERED.

Date: January 27, 2022  
New York, New York



JOHN P. CRONAN  
United States District Judge